


FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

2018 JAN -3 PM 2: 28

RECEIVED
WESTERN DISTRICT OF TEXAS

BY 

MELISSA CUBRIA,

Plaintiff,

-vs-

Case No. A-16-CA-544-SS


UBER TECHNOLOGIES, INC.,

Defendant.

J U D G M E N T

BE IT REMEMBERED on this day the Court considered the file in the above-styled cause, and specifically Plaintiff Melissa Cubria's Status Report [#45] and the Arbitrator's Award [#45-1]. On December 5, 2017, the Arbitrator entered his order finding (1) the parties' dispute falls within the scope of the arbitration clause; (2) the arbitration clause in question is not unconscionable; (3) each party shall be responsible for its own attorney's fees and expenses incurred in preparing for the arbitration hearing; and (4) the administrative fees and expenses of the American Arbitration Association and compensation and expenses of the Arbitrator shall be paid by Defendant Uber Technologies, Inc. *See* Arbitrator's Award [#45-1] at 3.

Because it is clear from the Arbitrator's decision that the issues raised in this case are covered by an arbitration agreement, dismissal is proper. *See Alford v. Dean Witter Reynolds, Inc.*, 975 F.2d 1161, 1164 (5th Cir. 1992) ("The weight of authority clearly supports dismissal of the case when all of the issues raised in the district court must be submitted to arbitration."). Once the parties have arbitrated their claims, they may apply to the proper court for entry of a judgment upon the award made pursuant to the arbitration. 9 U.S.C. § 9.



Accordingly,

IT IS FINALLY ORDERED, ADJUDGED, and DECREED that the above-styled cause is DISMISSED WITH PREJUDICE, and that all costs of suit are taxed against the Plaintiff for which let execution issue. The Court's dismissal does not affect the ability of either party to apply to any appropriate court for entry of a judgment upon an arbitration award.

SIGNED this the 3rd day of January 2018.



SAM SPARKS
UNITED STATES DISTRICT JUDGE